

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IFW

In re Application of:

**Narayan RAGHUNATHAN *et al.***

Appln. No.: **10/045,035**

Filed: **January 15, 2002**

For: **MULTI-LEVEL STACKING  
CONTAINER**

Examiner: **Stephen J. Castellano**

Attorney Docket No. **213202-00359**

Confirmation No.: **7842**

**March 21, 2006**

Mail Stop Issue Fee  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**TRANSMITTAL OF DOCUMENT IN ACCORDANCE WITH 37 C.F.R. § 1.97(i)**

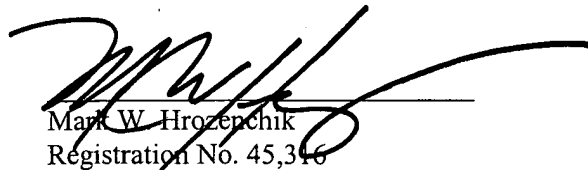
Sir:

Enclosed please find a Canadian Office Action received for a Canadian patent application related to the above-identified U.S. Non-Provisional Patent Application. Please enter the Canadian Office Action into the record of the above-identified U.S. Non-Provisional Patent Application, without consideration, in accordance with 37 C.F.R. § 1.97(i).

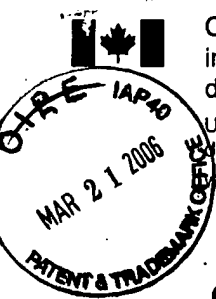
No fees are believed due. However, the Commissioner is hereby authorized to charge any additional fees under 37 C.F.R. 1.16 or 1.17 which may be required during the entire pendency of this application, or to credit any overpayment, to Deposit Account No. 50-1710.

Applicant's undersigned attorney may be reached in our Washington, D.C. office by telephone at (202) 625-3500. All correspondence should continue to be directed to our address given below.

Respectfully submitted,

  
Mark W. Hroczek  
Registration No. 45,346

Patent Administrator  
KATTEN MUCHIN ROSENMAN LLP  
525 West Monroe Street  
Chicago, Illinois 60661-3693  
Facsimile: (312) 902-1061



Office de la propriété  
intellectuelle  
du Canada

Un organisme  
d'Industrie Canada  
www.opic.gc.ca

Canadian  
Intellectual Property  
Office

An Agency of  
Industry Canada  
www.cipo.gc.ca

**RECEIVED**

FEB 27 2006

GOWLING LAFLEUR HENDERSON LLP  
PATENT DEPARTMENT

February 20, 2006

Response due.  
August 20/06

**GOWLING LAFLEUR HENDERSON LLP**

1 First Canadian Place  
1600 - 100 King Street West  
TORONTO Ontario  
M5X 1G5

**Application No. : 2,367,649**  
**Owner : NORSEMAN PLASTICS LIMITED**  
**Title : MULTI-LEVEL STACKING CONTAINER**  
**Classification : B65D 21/06 (2006.01)**  
**Your File No. : T8465989CA1**  
**Examiner : T. Hanham**

YOU ARE HEREBY NOTIFIED OF A REQUISITION BY THE EXAMINER IN ACCORDANCE WITH SUBSECTION 30(2) OF THE *PATENT RULES*. IN ORDER TO AVOID ABANDONMENT UNDER PARAGRAPH 73(1)(A) OF THE *PATENT ACT*, A WRITTEN REPLY MUST BE RECEIVED WITHIN 6 MONTHS AFTER THE ABOVE DATE.

This application has been examined as originally filed.

The number of claims in this application is 16.

The search of the prior art has revealed the following:

References Applied:

United States Patent documents

5609254 □	March 11, 1997	206/506	LOFTUS et al.
4391369 □	July 5, 1983	206/506	STAHL et al.

□ citation stemming from a foreign search report

LOFTUS et al. disclose a multi-level stacking container comprising a base (12), a first pair of opposing spaced-apart side walls extending from the base, each including a rim which includes a plurality of recesses (see figures) and two moveable support bars (23) extending across the sidewalls of the container including a rod configured to be received within the recesses, the rod including inwardly turned ends (26). The container sidewall includes a floating pivot which allows the rod to be placed within any of the recesses creating the nesting and stacking positions.

Canada

OPIC  CIPO

STAHL et al. disclose a multi-level stacking container comprising a base (12), a first pair of opposing spaced-apart side walls extending from the base, each including a rim which includes a plurality of recesses (58, 54, 62) and two moveable support bars (44) extending across the sidewalls of the container including a rod (46) configured to be received within the recesses, the rod including inwardly turned ends. The container sidewall includes a floating pivot which allows the rod to be placed within any of the recesses creating the nesting and stacking positions.

The examiner has identified the following defect in the application:

The claims on file do not comply with paragraph 28.2(1)(b) of the *Patent Act*. LOFTUS et al. or STAHL et al. disclosed the claimed subject matter before the claim date.

In view of the foregoing defects, the applicant is requisitioned, under subsection 30(2) of the *Patent Rules*, to amend the application in order to comply with the *Patent Act* and the *Patent Rules* or to provide arguments as to why the application does comply.

T. Hanham  
Patent Examiner  
819-953-4506  
2367649A.tmh